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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH, CENTRAL DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

HAROLD LYMAN,

Defendant.

**WITHDRAWAL OF DEFENDANT'S  
MOTION TO DISMISS**

Case No. 2:08 CR 061 DAK

Defendant, Harold Lyman, by and through his attorney of record, Kristen R. Angelos, hereby gives notice to the Court that he withdraws his previously filed Motion to Dismiss filed on January 26, 2010 (Docket No. 35 ). It is Defendant's intention to withdraw this motion based on discussions with the Government involving ongoing plea negotiations. Defendant reserves the right to re-file said motion if the matter is not resolved and the parties proceed to trial.

DATED this 15<sup>th</sup> day of April, 2010.

/s / Kristen R. Angelos  
KRISTEN R. ANGELOS  
Assistant Federal Defender

**CERTIFICATE OF DELIVERY**

I hereby certify that a true and correct copy of the foregoing **NOTICE OF WITHDRAWAL OF DEFENDANT'S MOTION TO DISMISS** was filed electronically and caused to be served by electronic notice to all parties listed below on this 15<sup>th</sup> day of April, 2010.

Carlie Christensen  
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/s/ Allyson Ashment  
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